

# United States District Court

WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

USDC - DVT  
2:20-mj-119-1

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

Case Number: 20-MJ-00150-WBG

**JOSHUA HOWLAND,**  
[DOB: 01/09/78]

**COUNT ONE:**

**Conspiracy to Advertise Child Pornography**

18 U.S.C. § 2251(d) and (e)

NLT: 15 Years' Imprisonment

NMT: 30 Years' Imprisonment

NMT: \$250,000 Fine

Supervised Release: 5 Years to Life

Class B Felony

**I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief.**

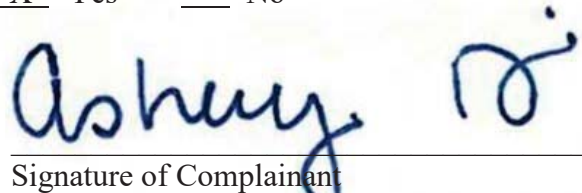
**COUNT ONE**

Between in or about November 2019 and July 2020, in the Western District of Missouri and elsewhere, JOSHUA HOWLAND, defendant herein, conspired with others to knowingly make, print, and publish, and cause to be made, printed, or published, any notice and advertisement seeking and offering to exchange, display, distribute, and reproduce any visual depiction, the production of which visual depiction involved the use of a minor engaging in sexually explicit conduct and the visual depiction was of such conduct, knowing and having reason to know that such notice and advertisement would be transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means including by computer, and which notice and advertisement was transported using any means and facility of interstate and foreign commerce and in or affecting interstate and foreign commerce by any means including by computer, all in violation of Title 18, United States Code, Section 2251(d) and (e).

I further state that I am a Special Agent with the Federal Bureau of Investigation and that this complaint is based on the following facts:

(See attached affidavit),

Continued on the attached sheet and made a part hereof: X Yes      No



Signature of Complainant  
Ashley L. Davis, Special Agent  
Federal Bureau of Investigation

By telephone at 12:53 pm on:  
Sworn to ~~before me and subscribed in my presence,~~

October 9, 2020  
Date

at

Kansas City, Missouri  
City and State

HONORABLE W. BRIAN GADDY  
United States Magistrate Judge  
Name and Title of Judicial Officer

  
Signature of Judicial Officer



**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Ashley Davis, a Special Agent (SA) with the Federal Bureau of Investigation (FBI), Kansas City, Missouri, being duly sworn, depose and state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation and have been so employed since January 2007. As part of my duties as a Special Agent, I am assigned to investigate violations of federal law, specifically the online exploitation of children. This includes violations pertaining to the illegal possession, receipt, transmission, and production of material depicting the sexual exploitation of minors.

2. At all times throughout this affidavit I use the term “child pornography” merely as shorthand to refer to visual depictions of actual minors engaged in sexually explicit conduct. I use the terms “visual depiction,” “minor,” and “sexually explicit conduct” as those terms are defined in 18 U.S.C. § 2256.

3. I am submitting this affidavit in support of a Criminal Complaint and arrest warrant for **Joshua Howland**. As will be shown below, there is probable cause to believe that, between approximately November 2019 and July 2020, in the Western District of Missouri and elsewhere, **Joshua Howland** conspired to advertise child pornography in violation of 18 U.S.C. § 2251(d) and (e). In particular, **Joshua Howland** conspired with others to knowingly make, print, and publish, and cause to be made, printed, or published, any notice and advertisement seeking and offering to exchange, display, distribute, and reproduce any visual depiction, the production of which visual depiction involved the use of a minor engaging in sexually explicit conduct and the visual depiction was of such conduct, knowing and having reason to know that such notice and advertisement would be transported using any means and facility of interstate and foreign

commerce and in and affecting interstate and foreign commerce by any means including by computer, and which notice and advertisement was transported using any means and facility of interstate and foreign commerce and in or affecting interstate and foreign commerce by any means including by computer.

4. As described more fully below, **Joshua Howland** was an active member and in a leadership position of a website that facilitated the advertisement and distribution of child pornography, generically referred to here as “Website A.” **Joshua Howland** posted links to child pornography files on Website A and helped to promulgate and enforce the rules of the website.

5. The statements contained in this affidavit are based in part on information provided by FBI Special Agents; written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement agents, including foreign law enforcement agencies; information gathered from the service of administrative subpoenas; the results of physical and electronic surveillance conducted by law enforcement agents; independent investigation and analysis by FBI agents/analysts and computer forensic professionals; and my experience, training and background as a Special Agent with the FBI. Since this affidavit is being submitted for the purpose of securing a Criminal Complaint and arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe **Joshua Howland** has committed criminal acts in violation of 18 U.S.C. § 2251(d) and (e).

#### **BACKGROUND TO WEBSITE A**

6. As noted above, Website A was a website that facilitated the advertisement and distribution of child pornography. It operated over a network that was designed to facilitate

anonymous communication over the internet. At all relevant times, both the computer server hosting Website A and the lead administrator of Website A were located in Kansas City, Missouri, within the Western District of Missouri.

7. Website A was an online chat website dedicated to discussion related to underage children. The site allowed users to engage in online chat with other users. Website A users routinely advertised and distributed child pornography through Website A by posting web links within chat messages. These links allowed other Website A users to navigate to another website, such as a file-hosting website, where images and/or videos of child pornography were stored in order to download these image and videos. For instance, on February 20, 2020, a Website A user posted a hyperlink to a .jpg file depicting an adult male with his penis inserted into the anus of a seminude prepubescent girl. The prepubescent girl is lying on her back, nude from the waist down with her pubic area fully exposed for the camera. Website A provided its users with information about particular file hosting websites where users could upload digital files so that the files could then be shared, via links, with other Website A users.

8. Website A was administered and moderated by select Website A users who were promoted at the discretion of the site leadership to positions such as administrator or moderator. Promotions were generally made based on an individual's active participation on the site. Once promoted, those users enforced the rules and assisted in the management of the site.

9. Images that Website A users made available through the site could be categorized or "tagged" based upon the image theme or characteristics. The stated purpose of these tags was to facilitate the advertisement of child pornography and to aid users in searching for specific types of content. In or about March 2020, a Website A staff member posted a guide to tags on Website

A that specified that images were required to be tagged based on the age or development of the girl depicted in the image. The guide also advised that tags could be used to identify the type of activity in which the child depicted in an image or video was engaged.

**THE “SUBJECT USER’S” ACTIVITY ON WEBSITE A**

10. Postings to Website A that were publicly available to any registered user at the time of posting were captured and archived for law enforcement review. Many of those postings included links to files which were also captured and archived. According to FBI review of that information, a particular user of Website A who used a particular online alias—referred to here as the “SUBJECT USER”—was active on Website A between at least November 2019 through July 2020. For the reasons set forth below, the FBI has confirmed that the SUBJECT USER was **Joshua Howland**.

11. For example, on or about May 3, 2020, the SUBJECT USER posted a link on Website A to an image depicting a prepubescent fully nude girl kneeling on one leg with her legs spread and her other leg extended out from her body. The child’s lower body is positioned facing the camera so that her naked vagina is prominently displayed and exposed for the camera. The girl is looking directly into the camera.

12. On or about May 3, 2020, the SUBJECT USER posted a link on Website A to an image depicting a girl estimated to be between 11 to 14 years of age, lying on a bed with her knees in the air. The girl is fully nude except for grey socks with cartoon images on them. The camera focuses on the girl’s vagina and anus, which are prominently displayed and exposed to the camera. The girl is of small stature, has young facial features and some pubic hair.

13. On or about May 3, 2020, the SUBJECT USER posted a link on Website A to an

image depicting a girl estimated to be between 11 to 14 years of age, lying on a bed with her knees in the air. The girl is fully nude except for black socks. The camera focuses on the girl's vagina and anus, which are fully exposed to the camera. The girl has young facial features, no pubic hair, and what appears to be little breast development.

14. An analysis of the captured and archived postings made by the SUBJECT USER on Website A suggests that the SUBJECT USER was an active member and in a leadership position on Website A and that he encouraged other users to advertise and distribute child pornography through the website. For example, in December 2019, the SUBJECT USER made a number of posts on Website A in which he, among other things, advised another Website A user that he would be removed because of an inappropriate username, promulgated rules for Website A, posted messages on behalf of Website A's staff, and encouraged another user to post images of underage girls within a certain age range. Also, in April 2020, and again in July 2020, the SUBJECT USER identified himself as a member of Website A's staff.

#### **IDENTIFICATION OF THE SUBJECT USER AS JOSHUA HOWLAND**

15. In the course of the investigation, the FBI determined through several independent methods that **Joshua Howland** was the SUBJECT USER on Website A. For example, on July 5, 2020, through lawful, court-authorized investigative methods, the FBI determined that a computer using the IP address 69.5.118.218 accessed a file that had been accessible on Website A to the SUBJECT USER and a small number of other Website A members. The FBI determined that that IP address was owned by Burlington Telecom. In response to a subpoena, Burlington Telecom provided information indicating that, at the time when IP address 69.5.118.218 accessed the file, it was assigned to **Joshua Howland's** residence in Burlington, Vermont. The subpoena return

also indicated that the subscriber name on the account linked to the IP address was **Joshua Howland**.

16. In addition, the FBI linked **Joshua Howland** to content that the SUBJECT USER posted on Website A. In particular, on a specific date, an undercover FBI agent active on Website A observed that the SUBJECT USER had posted links to multiple image files. Two of these five images depicted a teenage female (“VICTIM-1”) and three depicted another teenage female (“VICTIM-2”). The images depicted the females nude in what appears to be a bathroom or a bedroom. When posting the files, the SUBJECT USER stated that the images were from a “spy cam” and that the name of one of the females was NAME-1. The FBI reviewed **Joshua Howland’s** social-media profiles and discovered photos of him and VICTIM-2. A review of one of VICTIM-2’s social media profiles revealed multiple photos of VICTIM-2 and VICTIM-1. In addition, VICTIM-1’s first name is NAME-1, the name that the SUBJECT USER mentioned when posting the images on Website A. The FBI later determined that VICTIM-2 was under the age of 18 at the time the SUBJECT USER posted her pictures on Website A.

17. On August 7, 2020, the U.S. District Court for the Western District of Missouri authorized the installation and use of a pen register/trap and trace device (PRTT) to record, decode and/or capture all dialing, routing, addressing and signaling information associated with each communication to or from the Burlington Telecom residential internet account associated with **Joshua Howland’s** residence in Burlington, Vermont. The FBI began receiving data on August 17, 2020. A review of that data showed that, on multiple occasions, a user of the residential internet account at **Joshua Howland’s** residence accessed the same computer network on which Website A operated, and which was designed to facilitate anonymous communication over the internet.



18. On October 7, 2020, law enforcement executed a federal search warrant at **Joshua Howland's** residence in Burlington, Vermont. During the execution of the search warrant, multiple items of evidence were seized. A digital preview was conducted on Joshua Howland's main computer and at least one other electronic evidence item. A preview of **Joshua Howland's** computer revealed multiple files of child pornography depicting girls who appear to be between the ages of 8 and 14 years old. **Joshua Howland** also had a browser downloaded to that computer which allowed the computer user to access the computer network on which Website A operated and which is referred to in Paragraphs 6 and 17, above. Investigating agents also viewed a file containing the SUBJECT USER's name and what appeared to be text of a file uploader link referencing a file uploader commonly used on sites such as Website A and with a name indicative of pedophilia.

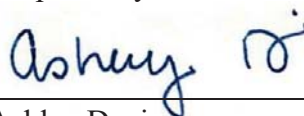
19. Also seized during the search of **Joshua Howland's** residence was a digital audio and video recording device commonly referred to as a "spy camera" or "spy cam." The spy cam would appear to an unknowing observer as a USB charger when placed into a wall outlet. The spy cam contained a memory card which was previewed on scene. The videos on the memory card were of an unidentified adult female in what appears to be the only bathroom located in the residence. A subsequent review of **Joshua Howland's** computer revealed multiple other videos which appeared to have been recorded on the same spy cam and in the same bathroom. At least two (2) of the videos contained VICTIM-2. Still images from one of the videos were located on the computer and visually appeared to be the same pictures shared by SUBJECT USER on Website A as described in Paragraph 16 above. The second video appeared to have been recorded at a time when VICTIM-2 was over the age of 18.

20. On October 8, 2020, Joshua Howland went to the University of Vermont Medical Center in Burlington, Vermont, with suicidal ideations and a specific way he intended to take his own life. Statements made by Joshua Howland to the mental health professional at the hospital triggered mandatory reporting laws in Vermont. The doctor notified the Department for Children and Families who referred the doctor to law enforcement as their designee for this type of reporting. According to the verbal report made, Joshua Howland expressed a long-term issue with seeking out and viewing child pornography. He was having thoughts of suicide because of recent contact with law enforcement.

### CONCLUSION

21. For these reasons, your Affiant respectfully submits that there is probable cause to believe **Joshua Howland** committed violations of 18 U.S.C. §§ 2251(d) and (e) in the Western District of Missouri and elsewhere. I respectfully request that this Court file a Criminal Complaint and authorize an arrest warrant for **Joshua Howland**.

Respectfully submitted,



Ashley Davis  
Special Agent  
Federal Bureau of Investigation

Sworn to be telephone at 12:53 pm

~~Subscribed and sworn to before me~~ on October 9, 2020:



The Hon. W. Brian Gaddy  
United States Magistrate Judge

